

year after such disability shall have been removed; and the said commissioners shall have the right by their agents or servants, to enter upon and open and keep open any street established by them, except in such case where the land required for such street shall be enclosed or some building or some improvement shall be situated thereon, in which case the said commissioners shall have no right to entry on said land until the same shall have been condemned by jury summoned, qualified and proceeding in the manner hereinbefore provided, and the damages assessed shall have been paid or tendered to the owner or owners of the same.

SEC. 4. That the constable of said county of Lenoir shall Constable. be entitled to the sum of three dollars, to be paid by the commissioners of said town, in full payment for the services to be performed by him as herein before set forth under the warrant to him directed by virtue thereof; a jury shall be summoned as aforesaid, and if any person summoned as aforesaid, for the purpose aforesaid, shall fail to attend according to such summons, then such persons so failing shall pay the sum of two (\$2.00) dollars, to be collected by distress or otherwise for the use of commissioners of said town, unless such persons shall have good cause for such failure, and on showing the same to such commissioners such persons shall be released from the payment of such sum.

SEC. 5. That if either person shall be dissatisfied with the verdict of the jury in assessing damages, under the foregoing provisions of this act, such parties shall have the right to appeal to the Superior Court of Lenoir county, as in other cases.

SEC. 6. This act shall be in force from and after its ratification.

Ratified the 16th day of March, A. D. 1875.